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**TRINIDAD AND TOBAGO RESPONSE TO ISSUES FOR CONSIDERATION BY THE COMPLIANCE
COMMITTEE PRESENTED BY THE EUROPEAN UNION IN DOC. NO. COC_322**

Trinidad and Tobago would like to thank the European Union for its observations and for the opportunity to provide clarification on our implementation of Rec. 18-09.

As a developing CPC, Trinidad and Tobago has been faced with a number of challenges in implementing ICCAT Recommendation 18-09 on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing. However, the main challenges to effectively combatting IUU fishing relate to deficiencies in the legal framework for fisheries management, the exceedingly limited monitoring, control, surveillance and enforcement capacity of the competent authorities with responsibility for fisheries management, the need for strengthened cooperation and collaboration among a range of national regulatory agencies with a role in fisheries MCS and the need to strengthen the cooperation with third States whose fishing vessels use Trinidad and Tobago's ports.

In addressing the deficiencies national efforts have focused on a number of areas:

1. Development of new fisheries management legislation will repeal the in force 1916 Fisheries Act. The updated legislation will enable Trinidad & Tobago, among other things, to meet its international obligations as a flag, coastal, port and market State. The process, initiated since the early 1990s, has been a long one, impacted by changes in administration at varying levels as well as changes in the regional and international fisheries conservation and management arena, along with the lengthy national process of law-making. The Fisheries Management Bill was laid in Parliament in October 2020 and is currently before a Joint Select Committee of Parliament, where it is subject to stakeholder review and amendments. It is expected that debates in the Lower House will commence around April 2022, however, the timing of the passage of the Bill is dependent on the nature and extent of the debates in Parliament – taking into consideration the move from the 1916 Act of 9 clauses to the new Bill comprising 242 clauses.
2. To comprehensively address the legislative deficiencies for effective fisheries conservation and management, it should be noted that the Bill also proposes changes to other pieces of national legislation, including the Shipping Act, the Customs Act, the Archipelagic Waters and Exclusive Economic Zone Act and the Tobago House of Assembly Act.
3. Another area of focus has been the development of draft regulations to enable, as priority, implementation of MCS provisions in the Bill once it becomes law, including implementation of port State control measures; Vessel Monitoring Systems; observer programme; monitoring and control of transshipment; catch certification; inspections and record of vessels at port; marking and identification of vessels; standard operating procedures; and other related MCS provisions; as well as draft regulations for implementation of the licensing and registration system.
4. Efforts have also focused on identifying the structure, design and requisite staffing of a Fisheries Inspectorate which is to be established once the Fisheries Management Bill becomes law.
5. Trinidad and Tobago received assistance from the FAO and USA (NOAA) under a regional Port State Measures Support Project to develop a *National Strategy and Roadmap to effectively implement the provisions of the PSMA and complementary international instruments and mechanisms to combat IUU fishing*. As well, a review of national MCS systems (including a port assessment) was conducted. The outputs from these two initiatives are integrated into the Fisheries Division's work programme but resource constraints for implementation remain a challenge.

6. In seeking to integrate and strengthen routine collaboration and coordination among a range of national regulatory agencies to combat IUU fishing, an MOU for Collaboration in Regulating Fishing, Fishing-Related Activities and Relevant Trade is in effect since August 2019. The Participants of this MOU are the Ministries and relevant Division of the Tobago House of Assembly with responsibility for fisheries management; trade; customs and excise, maritime services and national security. A Cabinet-appointed Committee is established to oversee, monitor and report on implementation of the MOU. Standard operating Procedures under the MOU address a number of activities including registration of fishing vessels, import of a fishing vessel, import and export of fish and fish products, advanced request for entry to port and prior departure declaration, transshipment, in transit movement and landing of fish, and monitoring and inspection of fishing vessels at port and at sea. In spite of these efforts however, the deficiencies in the current legislative framework and very limited fisheries MCS capability of the fisheries administration have impacted the effective implementation of the MOU and its Standard Operating Procedures.
7. In seeking to address the need for strengthened cooperation with Third States a draft template Memorandum of Understanding for Collaboration to Prevent, Deter and Eliminate IUU Fishing was developed and the Cabinet agreed in 2019 to the Government engaging Third States whose fishing vessels utilize the ports and waters of TTO with a view to negotiating and finalizing the MOU with each relevant State. Since then progress on this activity has been delayed due mainly to administrative changes and impacts on working arrangements as a consequence of the COVID-19 pandemic. However, efforts are currently focused in the first instance on initiating negotiations with the three countries having the most vessels calling to port.
8. Notwithstanding the various challenges being experienced, Trinidad and Tobago has demonstrated its willingness to cooperate and collaborate in the global fight against IUU fishing, having provided information leading to the listing of four vessels on the 2021 DRAFT ICCAT IUU LIST OF VESSELS, including the two vessels identified by the EU in COC_322, and having conducted a dockside inspection in April-May 2021 on the request of the USA (the report of the inspection is available in Annex 9 to COC_303 the Secretariat's Report to the Compliance Committee. This inspection was the first of its kind for the fisheries administration and was supported by various arms of the Ministry of National Security (including the Trinidad and Tobago Coast Guard and Immigration Division), the Customs and Excise Division and the Caribbean Community (CARICOM) Implementation Agency for Crime and Security (IMPACS).
9. There are several activities planned for commencement in 2022 which will serve to strengthen the country's capability to implement Rec. 18-09. These activities include development of inter-agency Standard Operating Procedures to enable full implementation of port State control measures; development of a national control plan and a national inspection plan for fishing vessels at port, and development of a traceability system for fish and fish products associated with a range of activities along the value-chain (fishing, landing, transshipping, in transit movement, import, export and re-export). In each instance technical assistance is required and financial assistance is also required for development of the national control plan and national inspection plan. Consequently, TTO would be interested in any such assistance that can be provided by ICCAT.

Trinidad and Tobago gives the assurance that it is taking the necessary actions to address a range of deficiencies identified that have implications for effective implementation of ICCAT Recommendations and wishes to reiterate its continued commitment towards conservation and management of tunas and tuna-like species in the Convention Area.